

Translation

PATENT COOPERATION TREATY

PCT/DE2003/003972



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.2098PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/003972	International filing date (day/month/year) 03 December 2003 (03.12.2003)	Priority date (day/month/year) 18 December 2002 (18.12.2002)
International Patent Classification (IPC) or national classification and IPC B65H 37/00		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 12 sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☒ Lack of unity of invention
 - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 19 June 2004 (19.06.2004)	Date of completion of this report 28 February 2005 (28.02.05)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 3-27 _____, as originally filed
 pages _____, filed with the demand
 pages _____ 1,2,2a _____, filed with the letter of _____ 06 December 2004 (06.12.04)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____ 1-46 _____, filed with the demand
 pages _____, filed with the letter of _____ 06 December 2004 (06.12.04)
- ☒ the drawings:
 pages _____ 1/14-14/14 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

See supplemental sheet.

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☐ all parts.
- ☒ the parts relating to claims Nos. 1-3,5-40

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

Claim 4 and claims 42-46

The present Authority has determined that this international application contains multiple (groups of) inventions which are not linked by a single general inventive concept (PCT Rule 13.1), as follows:

- I: Claims 1, 2, 13 Devices with at least two web-processing tools, wherein each web-processing tool has a mechanically independent drive, said drives interacting logically with a common control device.
- II: Claim 4 Device with three folding cones, wherein the outer cones are displaced when the web width changes, whereas the middle cone is not displaced.
- III: Claims 42-46 Process for setting web-processing tools using presetting values before starting production.

Process claims 42-46 are not directed specifically towards the devices in claims 1-41 and therefore a technical relationship within the meaning of PCT Rule 13.2 involving one or more of the same or corresponding special technical features is not present. A technical

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

relationship between the special technical features of claim 4 and those of the first group of claims is likewise absent.

Therefore, unity of invention in accordance with PCT Rules 13.1 and 13.2 is absent between the indicated groups (I-III) of inventions with respect both to the special technical features and to the problems solved.

In the present report only the first group of claims will therefore be examined.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-3, 5-40	YES
	Claims		NO
Inventive step (IS)	Claims	1-3, 5-40	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-3, 5-40	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following document:

D1: DE-A-100 03 025

Claims 1, 2 and 13

D1 discloses a device for processing a web, said device having at least two web-processing tools (folding cone, knife, folding rollers), wherein the tools are displaceable transversely in relation to the direction of feed of the web by an actuator.

The subject matter of claims 1, 2 and 13 differs from the device according to D1 in that each tool is displaceable by a drive that is mechanically independent of other drives and in that said drives interact logically with a common control device.

The problem addressed by the invention is that of providing a device for processing a web in which setting is simplified.

The solution, given in the characterizing part of claims 1, 2 and 13, consists in providing each tool with an

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independent drive which, however, interacts logically with a common control device. This enables rapid adjustment to changes in the width of the web to be processed, since in adjusting to web width the operator is not obliged to access each web-processing tool to be displaced. Such a solution is not suggested in the prior art.

Consequently, the subject matter of claims 1, 2 and 13 meets the requirements of PCT Article 33(2) and (3).

Claims 3, 7-12 and 14-40

The dependent claims (referred back to claims 1, 2 and 13) pertain only to particular embodiments of the invention which, in conjunction with the above-indicated independent claims 1, 2 and 13, likewise meet the requirements of PCT Article 33(2) and (3).

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